



**MIRUS CORPORATION
505 SOUTH ROSA RD
MADISON, WI 53719**

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OFFICE OF PETITIONS

In re Application of
Hans HERWEIJER et al.
Application No. 09/932,521
Filed: August 17, 2001
Attorney Docket No. Mirus.023.01

DECISION ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed September 06, 2007, to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned as a result of petitioner's failure to file an appeal brief (and fee required by 37 CFR 41.20(b)(2)) within the time period provided in 37 CFR 41.37(a)(1). As an appeal brief (and appeal brief fee) was not filed within two (2) months of the Notice of Appeal filed January 30, 2006, and a two (2) month extension of time under the provisions of 37 CFR 1.136(a) was obtained, the appeal was dismissed and the proceedings as to the rejected claims were terminated. See 37 CFR 1.197(b). As no claim was allowed, the application became abandoned on June 07, 2006. *See* MPEP 1215.04.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of an appeal brief and fee of \$250; (2) the petition fee \$750; and (3) the required statement of unintentional delay have been received. Accordingly, the appeal brief filed on May 19, 2006 is accepted as having been unintentionally delayed.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-4231.

The application file is being referred to Technology Center AU 1632 for examiners answer.

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